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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,788	01/04/2002	Gilles Lebouill	11345/042001	7677

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OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

EXAMINER

TO, BAO TRAN N

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/019,788	Applicant(s) LEBOUILL, GILLES	
	Examiner Bao Tran N. To	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25, 29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) 14-17 and 23-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 18-22, 29 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/04/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action responds to the applicant's amendment filed on 10/19/2005. In this amendment, Claims 1-13, 18-22 and 29-30 are amended, Claims 14-17 and 23-25 are withdrawn, and Claims 26-28 are cancelled. Claims 1-13, 18-22 and 29-30 remain for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U.S. Patent 5,983,273) herein referred to as White in view of Geer et al. (U.S. Patent 6,788,882 B1) herein referred to as Geer.

Regarding on Claims 1 and 18, White discloses a method of authenticating communication between a receiver/decoder (WebTV client) and a remote server

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(WebTV server) for providing access to a network (col. 3, lines 5-20), the method comprising

using an identifier (identification information) of the receiver/decoder to authenticate the communication (col. 2, lines 5-10),

the identifier being based on an identifier for access to broadcast service (WebTV service) (col. 5, lines 50-58),

White explicitly does not disclose "wherein the receiver/decoder is not Internet Protocol (IP) enabled."

However, Geer explicitly discloses wherein the receiver/decoder is not Internet Protocol (IP) enabled (Figures 1 and 2 and col. 6-67, lines 25 through col. 7, lines 1-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Geer's invention with White to include the receiver/decoder is not Internet Protocol (IP) enabled. One of ordinary skill in the art would have been motivated to provide the broadcasting signal in a suitable format (col. 6, lines 25-35).

Regarding on Claim 2, White and Geer disclose the limitations as discussed in Claim 1 above. White further discloses wherein the identifier is stored on a removable component (smartcard) of the receiver/decoder (col. 4, lines 5-20).

Regarding on Claim 3, White and Geer disclose the limitations as discussed in Claim 1 above. White further discloses wherein the identifier is independent of a network login identifier for the receiver/decoder (col. 7, lines 8-20).

Regarding on Claim 4, White and Geer disclose the limitations as discussed in Claim 1 above. White further discloses wherein the identifier is based on a number unique (id) to a smartcard for use with the receiver/decoder (col. 4, lines 5-10).

Regarding on Claim 5, White and Geer disclose the limitations as discussed in Claim 1 above. White further discloses wherein the remote server is for accessing the internet (Fig. 1, col. 3, lines 33-35).

Regarding on Claim 6, White and Geer disclose the limitations as discussed in Claim 1 above. White further discloses wherein the remote server is an internet account management system (col. 5, lines 30-35).

Regarding on Claim 7, White and Geer disclose the limitations as discussed in Claim 6 above. White further discloses wherein an internet account for a user is established by the internet account management system using the identifier of the receiver/decoder (col. 5, lines 50-55).

Regarding on Claim 8, White and Geer disclose the limitations as discussed in Claim 7 above. White further discloses wherein the identifier of the receiver/decoder is compared by the internet account management system with a stored list of identifier of receiver/decoders which may establish internet accounts (col. 5, lines 28-35).

Regarding on Claim 9, White and Geer disclose the limitations as discussed in Claim 7 above. White further discloses wherein the remote server comprises means for sending data to an internet service provider and wherein said method comprises the steps of providing details of the internet account to the internet service provider to establish a bi-directional data pathway (bi-directional data connection 29) between the receiver/decoder and the internet service provider (remote server) (Fig. 1,col. 3, lines 20-30).

Regarding on Claims 10 and 19, White and Geer disclose the limitations as discussed in Claim 1 above. White further discloses wherein said identifier is accompanied by data identifying a data pathway to be used for communication between the receiver/decoder and the remote server (col.1, lines 60-65).

Regarding on Claims 11 and 20, White and Geer disclose the limitations as discussed in Claim 1 above. White further discloses wherein the remote server provides the receiver/decoder with access to a network having network protocols (col. 3, lines 30-38), and data output from the receiver/decoder is converted into data compliant

with the network protocols at a location remote from the receiver/decoder (col. 2, lines 5-10).

4. Claims 12-13, 21-22, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over White and Geer as applied to claims 1 and 18 above, and further in view of Shambroom (U.S. Patent 6,301,661,B1) herein referred to as Shambroom.

Regarding on Claim 12, White and Geer disclose the limitations as discussed in Claim 11 above. White and Geer clearly does not disclose wherein the data is converted into said data compliant with the network protocols by a gateway intermediate the receiver/decoder and the remote server.

However, Shambroom discloses wherein the data is converted into said data compliant with the network protocols by a gateway intermediate the receiver/decoder and the remote server (col. 2, lines 30-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the Shambroom's invention with White to include a gateway intermediate the receiver/decoder and the remote server with the motivation being to allow enhanced security.

Regarding on Claims 13 and 22, White, Geer and Shambroom disclose the limitations as discussed in Claim 12 above. Shambroom further discloses wherein the network comprises a plurality of remote devices, said converted data being

communicated by the gateway to one of said remote devices as specified in said data thereby establish a communication channel between the receiver/decoder and the specified remote device (col. 2, lines 55-65).

Regarding on Claim 21, White and Geer disclose the limitations as discussed in Claim 1 above. Shambroom further discloses in the form of a gateway intermediate the receiver/decoder and the remote server (col. 3, lines 47-53).

Regarding on Claim 29, White, Geer and Shambroom disclose the limitations as discussed in Claim 13 above. Shambroom further discloses wherein a message instructing termination of the communication channel is communicated from the receiver/decoder to the gateway using the non-internet protocol, the gateway in turn communicating a termination command to the specified remote device using the internet protocol (col. 8, lines 25-45).

Regarding on Claim 30, White, Geer and Shamroom disclose the limitations as discussed in Claim 12 above. Shambroom further discloses wherein the identification of the receiver/decoder is authenticated by the gateway before the communication channel is established (col. 2, lines 30-45).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Tran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bao Tran To
12/30/2005



12/30/2005